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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

STEVEN A.W. DE JARAY, PERIENNE DE
JARAY, DARRELL R. OSWALD, and
APEX-MICRO MANUFACTURING
CORPORATION

Plaintiffs,

v.

LATTICE SEMICONDUCTOR
CORPORATION, an Oregon-headquartered
Delaware corporation,

Defendant.

Case No. 3:19-cv-00086-SI

**MOTION TO WITHDRAW AS
COUNSEL OF RECORD WITHOUT
SUBSTITUTION**

LR 83-11(a)

Pursuant to Rule 83-11(a) of the Local Rules of the United States District Court for the District of Oregon, the undersigned attorney hereby requests the Court permit Joshua Berman, Laura Logsdon, Rita Fishman, Elizabeth Moore, and Zachary Melvin of Paul Hastings LLP (“Paul Hastings”),—currently listed as counsel of record for Plaintiffs Steven A. W. de Jaray, Perienne de Jaray, Darrell Oswald, and Apex-Micro Manufacturing Corporation (collectively, “Plaintiffs”)—to withdraw as counsel for Plaintiffs in this case.

In support of this motion to withdraw as counsel, Joshua Berman declares:

1. Pursuant to Plaintiffs’ engagement letter with Paul Hastings, Plaintiffs only retained Paul Hastings to represent them through a jury verdict.
2. Paul Hastings’ representation of Plaintiffs concluded upon the return of the jury’s verdict on February 15, 2024, and the judgment entered thereon by this Court the following day.
3. On March 11, 2024, I wrote to Plaintiffs via email to advise them that Paul Hastings had fully discharged its obligations to Plaintiffs under their engagement letter, but agreed to file a motion for extension of time to respond to Defendant Lattice Semiconductor Corporation’s Bill of Costs (ECF 515) to allow Plaintiffs time to find substitute counsel.
4. Paul Hastings filed this motion on March 14, 2024 (*see* ECF 517), and this Court granted the motion the same day. *See* ECF 518.
5. On March 15, 2024, I wrote to Plaintiffs via email (i) to advise them that the Court had granted Plaintiffs a 60-day extension to respond to Defendant’s Bill of Costs, (ii) to inform them of upcoming deadlines in the case, and (iii) to reiterate that Paul Hastings had fully discharged its obligations to Plaintiffs upon this Court’s entry of the jury’s verdict on February 15, 2024. I further requested confirmation from Plaintiffs as to whether they wanted Paul Hastings to

file Notices of Appeal on their behalf, and offered to file any such notices with the understanding that substitute counsel would be representing Plaintiffs in any corresponding appeal.

6. On March 15, 2024, Plaintiff Perienne de Jaray (“Ms. de Jaray”) instructed Paul Hastings to file a Notice of Appeal on her behalf. Paul Hastings filed a Notice of Appeal on behalf of Ms. de Jaray on March 18, 2024. *See* ECF 521.

7. On March 18, 2024, Plaintiff Darrell Oswald instructed Paul Hastings to refrain from filing any Notice of Appeal on his behalf.

8. On March 15, 2024, Christopher Wright of Carney Badley Spellman (“Carney”) appeared as counsel for Plaintiffs Steven A. W. de Jaray (“Mr. de Jaray”) and Apex-Micro Manufacturing Corporation (“Apex”) to file a Notice of Appeal on their behalf. *See* ECF 519. Since then, Carney attorneys Jason W. Anderson and Rory D. Cosgrove have moved for leave to appear *pro hac vice* on behalf of both Mr. de Jaray and Apex. *See* ECF 522; ECF 524. This Court granted both these motions. *See* ECF 523; ECF 525.

9. On March 29, 2024, I sent a letter to Plaintiffs summarizing the events above and informing Plaintiffs of certain upcoming deadlines. In the letter, I reiterated that (i) Paul Hastings’ obligations to Plaintiffs formally concluded on February 15, 2024, and (ii) all of Paul Hastings’ actions subsequent to February 15, 2024 were taken in an abundance of caution to preserve Plaintiffs’ rights and to enable Plaintiffs to find substitute counsel. I further advised Plaintiffs that the firm would be moving to withdraw as counsel.

10. For the reasons set forth above, Paul Hastings respectfully request that it be allowed to withdraw as counsel for Plaintiffs in this case.

Dated: April 2, 2024
New York, New York

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on all parties by the electronic filing system.

Dated: April 2, 2024
New York, New York

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/s/ Joshua Berman

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